

Serial No.: 10/705,587
Docket No.: ECV-5765
Amendment dated February 24, 2005
Responsive to Office Action mailed February 8, 2005

REMARKS/ARGUMENTS

Claims 1-37 remain pending.

Claims 12-37 are allowed.

5 Applicants acknowledge the indication that claims 1-11 would be allowable if rewritten to overcome any §112 rejections, and include preceding claim limitations.

Claims 1-11 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

In particular, the Examiner finds line 15 in claim 1 to be unclear. The passage reads as follows:

10 a plurality of lengths of flexible material extending in a taut fashion across the outflow end of the valve to prevent suture looping, each length of flexible material having first segments extending radially inward from the commissure posts to the shaft member in its second position.

15 The Examiner objects to the recitation of the first segments extending radially inward to the shaft member in its second position. Instead, the Examiner believes that the first segments extend from post to post. However, a review of the application should convince the Examiner that the passage in question is correct as written. Please refer to Fig. 6B which shows an exemplary valve from the outflow side with a "shaft member 36" extended into its second position. Paragraph [0070] includes the following: "FIG. 6B shows the radially directed notches 20 52 receiving the three pairs of the first segments 32." The notches 52 are provided in the shaft member 36. Therefore, the application clearly discloses the "first segments" of the plurality of lengths of flexible material extending radially inward from the commissure posts to the shaft member in its second position.

25 Accordingly, Applicant asserts that claim 1 is definite as written, and that the rejection under 35 U.S.C. §112 is overcome.

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Based on the foregoing amendments and remarks, Applicant believes that claims 1-37 are in condition for allowance. If there is any further hindrance to allowance, the Examiner is encouraged to contact the undersigned by telephone.

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Date: February 24, 2005

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Respectfully submitted,



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